IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5288 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

G.S.R.T. CORPORATION

Versus

MAFATLAL A. PARMAR

Appearance:

MR HARDIK C RAWAL for Petitioner No. 1

NOTICE SERVED for Respondent No. 1

CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 18/01/2003

ORAL JUDGEMENT

The only short question which requires consideration and adjudication in this petition, challenging the award of the Industrial Tribunal in Reference (IT) No.153 of 1983 dated 29th July 1986, is as to whether the reinstatement with full backwages for a period of almost of two years

in the facts and circumstances, could be said to be vulnerable, to which the answer ought to be in the negative in view of the peculiar facts and circumstances of the case. Therefore, considering the factual profile, settled proposition of law and the limited jurisdictional sweep of this Court in a petition under Article 226 and 227 of the Constitution, there is no any case worth the candle for interference in exercise of writ jurisdiction, which is discretionary, prerogative and equitable. The resultant effect would be that the petition deserves to be rejected. Accordingly, it is rejected without any order as to costs. Rule discharged.

(J.N.Bhatt, J.)
(vjn)